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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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12 UNITED STATES OF AMERICA,
13 Plaintiff,
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15 v.
16 CESAR FLORES-GALICIA,
17 Defendant.

Case No. 17-0040M - \
ORDER OF DETENTION

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1 I.
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3 On January 10, 2017, Defendant made his initial appearance on the criminal
4 complaint filed in this matter. Deputy Federal Public Defender Craig Harbaugh
5 was appointed to represent Defendant. The Court conducted a detention hearing.

6 On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case
7 allegedly involving a narcotics or controlled substance offense with maximum
8 sentence of ten or more years.

9 On motion by the Government or on the Court's own motion
10 [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the
11 defendant will flee.

12 The Court concludes that the Government is entitled to a rebuttable
13 presumption that no condition or combination of conditions will reasonably assure
14 the defendant's appearance as required and the safety of any person or the
15 community [18 U.S.C. § 3142(e)(2)]. At this time, Defendant submits on the
recommendation of detention.

16 II.
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18 The Court finds that no condition or combination of conditions will
reasonably assure: the appearance of the defendant as required.

19 the safety of any person or the community.

20 the Court finds that the defendant has not rebutted the § 3142(e)(2)
21 presumption by sufficient evidence to the contrary.

22 III.
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24 The Court has considered: (a) the nature and circumstances of the offense(s)
25 charged, including whether the offense is a crime of violence, a Federal crime of
26 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,
27 or destructive device; (b) the weight of evidence against the defendant; (c) the
history and characteristics of the defendant; and (d) the nature and seriousness of
28 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also

1 considered all the evidence adduced at the hearing and the arguments, the
2 arguments of counsel, and the report and recommendation of the U.S. Pretrial
3 Services Agency.

4 IV.

5 The Court bases its conclusions on the following:

6 As to risk of non-appearance:

- 7 nature and circumstances of alleged offense: Defendant
8 allegedly sold methamphetamine to an undercover law enforcement agent.
- 9 limited background information and no known community ties,
10 employment, residence information or bail resources.
- 11 Suspended Driver's License for failure to appear.
- 12 Unrebutted Presumption.

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14 As to danger to the community:

- 15 Allegations in present charging document include possession
16 with intent to distribute methamphetamine.
- 17 Unrebutted presumption [18 U.S.C. § 3142(e)(2)]

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1 V.
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3 IT IS THEREFORE ORDERED that the defendant be detained until trial.
4 The defendant will be committed to the custody of the Attorney General for
5 confinement in a corrections facility separate, to the extent practicable, from
6 persons awaiting or serving sentences or being held in custody pending appeal.
7 The defendant will be afforded reasonable opportunity for private consultation
8 with counsel. On order of a Court of the United States or on request of any
9 attorney for the Government, the person in charge of the corrections facility in
10 which defendant is confined will deliver the defendant to a United States Marshal
11 for the purpose of an appearance in connection with a court proceeding.
12 [18 U.S.C. § 3142(i)]
13 Dated: January 10, 2017
14 _____ /s/
15 HON. ALKA SAGAR
16 UNITED STATES MAGISTRATE JUDGE
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